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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,827	03/22/2001	Hiroshi Hamasaki	204404US-2RD	3081
22850	7590	12/02/2004		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				ROSE, KIESHA L
			ART UNIT	PAPER NUMBER
				2822

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/813,827	HAMASAKI, HIROSHI	
	Examiner	Art Unit	
	Kiesha L. Rose	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) ____ is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: ____ .

DETAILED ACTION

This Office Action is in response to the arguments filed 26 August 2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art (Fig. 7) in view of Yano (U.S. Patent 6,118,165).

Applicant's Prior Art discloses a light-receiving device (Fig. 7) that contains a p-type semiconductor substrate (81) having a first surface on a light receiving side and a second surface on the opposite side to said first surface, a semiconductor layer (74) formed on the first surface of the substrate and having a plurality of opening, a plurality of island formed p-type first semiconductor regions (76) (protruding portion) formed in the semiconductor layer so as to reach substrate from a surface of the semiconductor layer, where the plurality of first semiconductor regions being formed apart from each other, a p-type lattice formed second semiconductor region (72) selectively formed in a surface region of semiconductor layer with a higher resistance and surrounding each of the semiconductor regions with a surface portion of the semiconductor layer therebetween and a lattice formed first electrode (83) formed on second semiconductor

region. Applicant's Prior Art (Fig. 7) discloses all the limitations except for a second electrode formed on the second side. Whereas Yano discloses a light-receiving device (Fig. 4) that contains a photodiode with a substrate (11) with a first side and a second side, an electrode (16a) formed on the second side and an electrode (15) formed on the first side. The electrode is formed on the second side of the photodiode to supply current to the device or keep it at ground level. (Abstract) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the photodiode by incorporating a second electrode on the second side of the substrate to supply current to the device as taught by Yano. In regards to claims 6,11,17 and 22 dealing with a bias, since the devices of the prior art disclose the same structural limitations as the claimed invention that it would have been obvious to one having ordinary skill in the art at the time the invention was made to reverse bias the device which would deplete the regions, in addition it is well known in the art that a voltage will be applied to a device which has an electrode on the top and bottom surface to supply current to the device.

Response to Arguments

Applicant's arguments filed 26 August 2004 have been fully considered but they are not persuasive. Applicants argue that the Applicant's Prior Art (Figure 7) does not disclose the claimed invention, such as the substrate and first and second regions. Whereas the claimed invention discloses that there be a first conductivity type substrate, a first semiconductor region and a second semiconductor region. The first

region reaches the substrate and the second semiconductor region surrounds the first semiconductor region. Therefore the Applicant's Prior Art discloses the claimed invention and in regard to the second electrode the Yano reference discloses that limitation. Therefore the rejection stands.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiesha L. Rose whose telephone number is 571-272-1844. The examiner can normally be reached on M-F 8:30-6:00 off 2nd Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KD
KLR


AMIR ZARABIAN
SUPERVISORY PATENT EXAMINER
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